

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

June 21, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2673

INTERNET ADDRESS:
JCOVERT@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application
Appl. No. 09/814,123; Filed: March 22, 2001
For: **Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof**
Inventors: Hogenkamp *et al.*
Our Ref: 1861.1270001/JMC/THN

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated May 31, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors (six total sheets);
4. Our Check No. 31684 for \$ 130.00 to cover the surcharge for late filing of Declaration (37 C.F.R. § 1.16); and
5. One (1) return postcard.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Commissioner for Patents

June 21, 2001

Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
Attorney for Applicants
Registration No. 38,759

Enclosures

P:\USERS\TARJAHN\1861\1861.1270001\pto\127-1.RESP.NFMP.TRANS.WPD

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 130.00)

Complete If Known

Application Number	09/814,123
Filing Date	March 22, 2001
First Named Inventor	Derk J. Hogenkamp
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	1861.1270001/JMC/THN

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number
19-0036

Deposit Account Name
Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

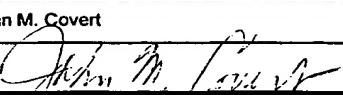
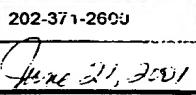
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	John M. Covert	Registration No. (Attorney/Agent)	38,759	Telephone	202-371-2600
Signature				Date	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/814,123	03/22/2001	Derk J. Hogenkamp	1861.1270001

CONFIRMATION NO. 2060

26111
 STERNE, KESSLER, GOLDSTEIN & FOX PLLC
 1100 NEW YORK AVENUE, N.W., SUITE 600
 WASHINGTON, DC 20005-3934

FORMALITIES LETTER



OC00000006132207

Date Mailed: 05/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Declaration for Patent Application

Docket Number: 1861.1270001/JMC/THN

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof, the specification of which is attached hereto unless the following box is checked:

was filed on March 22, 2001; as United States Application Number or PCT International Application Number 09/814,123; and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed
(Application No.)	(Country)
	(Day/Month/Year Filed)

Yes No

(Application No.)	(Country)	(Day/Month/Year Filed)

Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application listed below.

<u>60/191,757</u>	<u>March 24, 2000</u>
(Application No.)	(Filing Date)

<u>(Application No.)</u>	<u>(Filing Date)</u>
--------------------------	----------------------

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>(Application No.)</u>	<u>(Filing Date)</u>	<u>(Status - patented, pending, abandoned)</u>
<u>(Application No.)</u>	<u>(Filing Date)</u>	<u>(Status - patented, pending, abandoned)</u>

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934

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(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Derk J. Hogenkamp
Signature of sole or first inventor	<i>Derk J. Hogenkamp</i>
Residence	4510 Park Drive, Carlsbad, CA 92008
Citizenship	USA
Mailing Address	same as above
Full name of second inventor	Phong Nguyen
Signature of second inventor	
Residence	1048 Wingfoot Street, Placentia, CA 92870
Citizenship	USA
Mailing Address	same as above
Full name of third inventor	Ji Yang
Signature of third inventor	
Residence	2010 Quail Ridge Drive, Plainsboro, NJ 08536
Citizenship	People's Republic of China
Mailing Address	same as above

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(Application No.)	(Country)
	(Day/Month/Year Filed)
	<input type="checkbox"/> Yes <input type="checkbox"/> No
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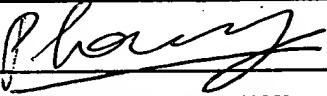
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Signature of second inventor	 Date 4/27/01
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Citizenship	USA
Mailing Address	same as above
Full name of third inventor	Ji Yang
Signature of third inventor	Date
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(Country)	(Day/Month/Year Filed)
(Application No.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Mailing Address	same as above
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Signature of third inventor	 Date 4/30/2001
Residence	2010 Quail Ridge Drive, Plainsboro, NJ 08536
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Mailing Address	same as above

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

ATTORNEYS AT LAW

GOVERNMENT FEES ACCT.

1100 NEW YORK AVE. NW SUITE 600

WASHINGTON, D.C. 20005

31684

15-122
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John M. Chast

RP

Applicants: Hogenkamp *et al.*

Application No.: 09/814,123

Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof

Due Date: July 31, 2001

Art Unit: To Be Assigned

Examiner: To Be Assigned

Docket: 1861.1270001

Atty: JMC/THN

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2. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
3. Copy of the Notice to File Missing Parts;

Applicants: Hogenkamp *et al.*

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6. One (1) return postcard.



June 21, 2001

Attn: Box Missing Parts

Please Date Stamp And Return To Our Courier